



Montgomery County Government

Department of Permitting Services



Department of Zoning & Site Plan Enforcement



REMOVING PROHIBITED AND UNPERMITTED
SIGNS INSTALLED IN THE PUBLIC RIGHT-OF-WAY

Department of Permitting Services Department of Zoning & Site Plan Enforcement Prohibited Signs in Public Right-of-Way

Highlights of Constituent and Community Feedback Over Time

- ▶ Signs are a long standing concern
- ▶ Signs are considered unsightly
- ▶ Signs are a source of litter
- ▶ Signs pose a safety hazard to motorists and pedestrians
- ▶ Signs convert residential neighborhoods into an advertising canvass for businesses
- ▶ Signs can be misleading providing predatory organizations access to unsuspecting residents



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Maryland State Legislature Responds to the Growing Problem

- ▶ May 19, 2011 Governor O'Malley signs into Law House Bill 289 which bans the installation of signs in the State's Right-of-Way without prior authorization [§8-605(f) Transportation]
- ▶ The law allows the removal of illegal and unpermitted signs installed in the State's Right-of-Way by county governments and local municipalities
- ▶ The law allows county governments and local municipalities to issue a civil penalty and seek an injunction against continuing violations
- ▶ The law allows civil penalties to be assessed per sign
- ▶ January 2012 Maryland State SHA begins enforcement of state law



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Problems Persist After 2012

- ▶ Signs in the right-of-way continue to proliferate and saturate state highways, local roads, commercial areas and local residential communities
- ▶ DPS receives increasing number of citizen complaints
- ▶ Inconsistent Enforcement
- ▶ Lack of dedicated resources
- ▶ Lagging response time
- ▶ Increasing number of offenders



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In 2015 DPS Implements Enforcement Strategy The Community Roadside Sign Enforcement Program Addressing Unlawful Signs in Public Right-of-Way

- ▶ DPS dedicates staff and resources to respond to sign complaints.
- ▶ DPS dispatches staff and resources to predetermined routes removing signs in the public right-of-way.
- ▶ First Time Offenders: Educated on sign regulations and Issued warning letter.
- ▶ Repeat Offenders - Issued Notice of Violation and Civil Citation to appear in court.
- ▶ Persistent Non-Compliant Offenders - Issued fines by the court and judicial orders prohibiting the installation of signs in the future.



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DPS Enforcement Strategy Successes

- ▶ A Major Mattress Retailer: DPS prevailed in District Court resulting in fines and a judicial abatement order to cease future activity. DPS staff removed 118 signs installed in the public right-of-way in connection with this case.
- ▶ A Local Junk Hauling Operation: DPS prevailed in District Court resulting in a judicial abatement order to cease future activity. DPS removed 100 signs installed in the public right-of-way in connection with this case.
- ▶ DPS has achieved compliance from several other commercial enterprises after providing education on sign regulations coupled with the issuance of warning letters and Notices of Violation. DPS removed nearly 200 signs installed in the public right-of-way in connection with these organizations.
- ▶ DPS, as of 2/18/16, has removed over 3,400 signs and is currently tracking over 100 business operators in violation of the sign ordinance.



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In Conclusion The Intent of DPS' Enforcement Strategy

- ▶ Limit the reach of predatory persons and organizations attempting to take advantage of consumers/residents
- ▶ Identify first time offenders and educate them
- ▶ Initiate legal action against repeat offenders
- ▶ Restore and maintain the residential character of our local communities
- ▶ Support public safety initiatives related to distracted driving



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How Can Constituents and Communities Request Assistance?

Montgomery County

Community Roadside Sign Enforcement
Program

- ▶ To report signs installed in the median, in the public right-of-way or on utility poles call 311.
- ▶ The Program is operated through DPS' Division of Zoning & Site Plan Enforcement, Site Plan Enforcement Section

Maryland State

Sign Enforcement Program Operated
by SHA (State Highway Administration)

- ▶ To file an online service request for signs installed on state maintained highways and roads go to:
- ▶ www.roads.Maryland.gov
- ▶ Click on "Contact SHA"
- ▶ Click on "Service Request Form" under the section Non-Emergencies

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Q & A



2016

The National Association of Counties Presents DPS An Achievement Award
The Community Roadside Sign Enforcement Program
Montgomery County